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## TRANSMITTAL FORM

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Total Number of Pages in This Submission

Application Number

10/750,206

Filing Date

December 31, 2003

First Named Inventor

Cuffaro et al.

Art Unit

2616

Examiner Name

Chin, Wellington

Attorney Docket Number

I-2-0522.1US

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Form PTO-1449, Two
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	References Cited.
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
<b>Remarks</b>		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	VOLPE AND KOENIG, P.C.		
Signature	<i>Robert D. Leonard</i>		
Printed name	Robert D. Leonard		
Date	February 27, 2007	Reg. No.	57,204

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>Robert D. Leonard</i>		
Typed or printed name	Robert D. Leonard	Date	February 27, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the **PATENT APPLICATION** of:

Cuffaro et al.

**Application No.:** 10/750,206

**Confirmation No.:** 9208

**Filed:** December 31, 2003

**For:** RESOURCE ALLOCATION IN  
WIRELESS COMMUNICATION SYSTEMS

**Group:** 2616

**Examiner:** Chin, Wellington

**Our File:** I-2-0522.1US

**Date:** February 27, 2007

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Further to Applicants' Duty of Disclosure pursuant to 37 C.F.R. §1.56, Applicants wish to bring to the Examiner's attention the material cited on the enclosed PTO-1449 form.


The listed references include references previously cited in this application. Newly cited documents are indicated by an asterisk (\*). Copies of the newly cited documents are enclosed, and pursuant to 37 C.F.R. §1.98(a)(2)(ii), copies of the newly cited U.S. publications and/or patent documents have not been included.

**Applicant: Cuffaro et al.**  
**Application No.: 10/750,206**

It is respectfully requested that the Examiner consider these documents and return an initialed copy of the PTO-1449 form indicating his consideration of the cited materials.

Respectfully submitted,

Cuffaro et al.

By   
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RDL/akg  
Enclosures ( 3 )



FORM PTO-1449  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (Use several sheets if necessary)				ATTY. DOCKET NO. I-2-0522.1US		SERIAL NO. 10/750,206		
				APPLICANT Cuffaro et al.				
				FILING DATE December 31, 2003		GROUP 2616		
U.S. PATENT DOCUMENTS								
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
		5,491,837	02/1996	Haartsen				
		6,226,520	05/2001	Jeoung				
		6,320,854	11/2001	Farber et al.				
		6,434,128	08/2002	Benz et al.				
		6,535,503	03/2003	Toskala et al.				
	*	2003/031147	02/2003	Zeira et al.				
		2004/0242161	12/2004	Marinier				
FOREIGN PATENT DOCUMENTS								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
		1998-68872	10/1998	KR			X	
		1994-12914	06/1994	KR			X	
	*	98/027763	06/1998	WO				
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)								
	*	Morimoto et al. "Cell Selection Based on Shadowing Variation for Forward Link Broadband OFCDM Packet Wireless Access." 56 <sup>th</sup> IEEE Vehicular Technology Conference Proceedings, September 24-28, 2002, pp. 2071-2075.						

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.